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**PATENT**

Client-Matter No.: CROL-156

(056290.0103)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Kevin R. Stone	)	Group Art Unit: 1653
Serial No.: 10/722,869	)	Examiner: Mayer, Suzanne Marie
Filed: November 26, 2003	)	
For: SUBSTANTIALLY NON-IMMUNOGENIC	)	
INJECTABLE COLLAGEN	)	

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to MAIL STOP PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: 3/23/05

  
Angelo J. Mignanello

**MAIL STOP PETITION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION PURSUANT TO 37 C.F.R. § 1.78 TO ACCEPT AN UNINTENTIONAL  
DELAY FOR CLAIM OF PRIORITY UNDER 35 U.S.C. §§ 1.19(e) and 120**

Applicant submits this Petition to the Commissioner pursuant to 37 C.F.R. § 1.78(a)(3) for an Unintentional Delay for Claim of Priority Under 35 U.S.C. §§ 1.19(e) and 120 for the above-identified patent application. Applicant respectfully requests that the U.S. Patent and Trademark Office grant the claim of priority to U.S.S.N. 60/429,079 ("Priority Application"), filed on November 26, 2002.

The Utility Patent Application Transmittal (Small Entity) filed on November 26, 2003 made reference to a claim of priority to the Priority Application on page 1 of the document. An Official Filing Receipt mailed by the U.S. Patent Office on March 10, 2004, lists the Priority Application in the section for Domestic Priority Data as Claimed by Applicant. Copies of these documents are enclosed.

4/12/2005 EABUBAK1 00000095 501133 10722869

1 FC:1454 1370.00 DA

APR 13 2005 08:00 PM 10722869  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20503

Kevin R. Stone  
U.S.S.N. 10/722,869  
Petition Pursuant to 37 C.F.R. § 1.78 to Accept an Unintentional  
Delay for Claim of Priority Under 35 U.S.C. §§ 1.19(e) and 120  
March 23, 2005  
Page 2 of 2

It is respectfully submitted that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(5) and the date of this submission is unintentional.

Also enclosed, is a Supplemental Amendment inserting a new paragraph with a claim of priority to the Priority Application on page 1 of the specification.

Applicant kindly requests that this Petition be granted, and that the claim of domestic priority to the Priority Application and the Supplemental Amendment be entered into the official record.

Please charge the Petition Fee of \$1,330.00 set forth in 37 C.F.R. § 1.17(t) to Deposit Account 50-1113. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1133.

If there are any outstanding issues that might be resolved by a telephonic interview it is requested to call the Applicant's attorney at the telephone number shown below.

Respectfully submitted,



Simona A. Levi-Minzi, Ph.D.  
Reg. No. 43,750  
Attorney for Applicant

McDermott Will & Emery LLP  
28 State Street  
Boston MA 02109-1775  
Tel (617) 535-4065  
Fax (617) 535-3800

Date: March 23, 2005

MIA 294165-1.056328.0034

**UNITED STATES PATENT & TRADEMARK OFFICE**  
**Washington, D.C. 20231**

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>5/13/05</u>		2 Serial/Patent # <u>10722,869</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
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